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Message Text

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43
ACTION DLOS-06

INFO OCT-01 EUR-25 IO-15 ISO-00 L-03 COA-02 EB-11 OIC-04

CIAE-00 DODE-00 PM-07 H-03 INR-10 NSAE-00 NSC-10

PA-03 RSC-01 PRS-01 SPC-03 SS-15 USIA-15 ACDA-19

AEC-11 AGR-20 CG-00 COME-00 DOTE-00 FMC-04 INT-08

JUSE-00 NSF-04 OMB-01 AF-10 ARA-16 EA-11 NEA-10 EPA-04

CEQ-02 SCI-06 DRC-01 /262 W
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R 091657Z OCT 73
FM AMEMBASSY LONDON
TO SECSTATE WASHDC 4604
INFO USMISSION USUN NEW YORK

C O N F I D E N T I A L LONDON 11632

E.O. LL652: GDS
TAGS: PBOR, ETRN
SUBJECT: LOS/IMCO - CONSULTATIONS PRIOR TO MARINE
POLLUTION CONFERENCE

1. SUMMARY. U.S. REPS MET WITH U.K., FRANCE, BELGIUM, ITALY, NETHERLANDS, NORWAY, SWEDEN, FRG, DENMARK, JAPAN AND GREECE TO DISCUSS LAW OF THE SEA QUESTIONS, PARTICULARLY THOSE INVOLVED IN MARINE POLLUTION CONFERENCE. ALL STATES IN GROUP WILLING TO ACCEPT NEUTRAL JURISDICTIONAL FORMULATIONS EXCEPT FRG AND GREECE. SOME STATES WERE RELUCTANT ON PORT STATE JURISDICTION. END SUMMARY.

2. ON QUESTION OF COASTAL STATE JURISDICTION, ALL DELEGATIONS EXCEPT DENMARK INDICATED THEY COULD NOT MAKE CONCESSIONS IN THIS CONFERENCE. DENMARK SAID THEY MIGHT CONSIDER SOME CONCESSION ON COASTAL STATE ZONE HERE BUT ONLY IF CONFERENCE WOULD OTHERWISE FAIL. GREECE AND
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FRG INDICATED DESIRE TO RETAIN TERRITORIAL SEA LANGUAGE

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AND OPPOSITION TO NEUTRAL FORMULATION.

3. U.S. POSITION ON PORT STATE JURISDICTION SUPPORTED BY NETHERLANDS AND TO SOME EXTENT BY NORWAY. FRANCE OPPOSED ISSUE HERE, SAYING IT WAS LOS ISSUE WHILE U.K. PREFERS DISCUSSING IT ONLY IN LOS SO THAT MARITIME STATES CAN UTILIZE IT AS TACTICAL ALTERNATIVE TO ZONE. U.S. INDICATED ITS VIEW THAT IT WOULD BE TACTICALLY ADVANTAGEOUS IN LOS TO HAVE ACHIEVED AGREEMENT ON PORT STATE ENFORCEMENT IN THIS CONFERENCE.

4. IN GENERAL DISCUSSION OF LOS POLLUTION ISSUES, FOLLOWING POSITIONS WERE STATED: NORWAY OPPOSES COASTAL STATE RIGHT TO PRESCRIBE STANDARDS BEYOND TERRITORIAL SEA BUT MIGHT ALLOW INSPECTION AND INVESTIGATION IN ZONE BUT NOT PROSECUTION. GENERALLY FAVORS FRENCH PROPOSAL AND MAY AGREE TO UNIVERSAL PORT STATE PRESCRIPTIVE AND ENFORCEMENT RIGHTS.

5. FRANCE FEELS INTERNATIONAL STANDARDS ARE CRITICAL AND THUS MUST MAKE CONCESSIONS ON COASTAL STATE ENFORCEMENT.

6. JAPAN AND BELGIUM GENERALLY AGREE WITH APPROACH OF FRANCE AND NORWAY.

7. SWEDEN INDICATED WILLINGNESS TO ACCEPT COASTAL STATE INSPECTION BEYOND TERRITORIAL SEA AND EVEN GREATER COASTAL RIGHTS IF LOS CONVENTION IS VERY GOOD PACKAGE.

8. FRG STATED ITS SUPPORT OF NORWEGIAN POSITION BUT ALSO SAID IT WOULD ACCEPT COASTAL STATE INSPECTION ANYWHERE ON HIGH SEAS.

9. ON MALACCA STRAIT, U.K. ASKED WHETHER IT USEFUL TO RECOMMEND TO INDONESIA, MALAYSIA AND SINGAPORE THAT THEY DEVISE REGULATIONS FOR USE OF STRAIT AND SUBMIT THEM TO IMCO FOR APPROVAL. AS IT WAS LATE, ONLY JAPAN RESPONDED SAYING ANY REGULATIONS MUST BE IN ACCORDANCE WITH INTERNATIONAL STANDARDS AND PROBABLY SHOULD BE CONFIDENTIAL

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DEVELOPED BY IMCO.

10. U.S. SUGGESTED FUTURE MEETING WHICH IT WOULD HOST DURING ORGANIZATIONAL SESSION OF LOS CONFERENCE AND ALL AGREED.

11. U.S. CONSULTED SEPARATELY WITH CANADA. MAJOR DEVELOPMENT WAS CANADIAN ANNOUNCEMENT THEY HAD HELD

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CONSULTATIONS WITH GROUP OF L6 OTHER STATES (SPAIN, MEXICO, KENYA, INDIA, AUSTRALIA, TRINIDAD AND TOBAGO, CUBA, ICELAND, IRAN, IRELAND, JAMAICA, NEW ZEALAND, PERU, PHILIPPINES, TANZANIA AND GHANA.) THEY SUGGESTED, ON BEHALF OF GROUP, MEETING OF CONTACT GROUP (FIRST SIX ABOVE AND CANADA) WITH A CONTACT GROUP OF MARITIME STATES TO DISCUSS ARTICLES 4 AND 9 (NOT ARTICLE 8). U.S. AGREED ALTHOUGH WE MADE IT CLEAR WE DID NOT WANT TO BE LEADER OR ORGANIZER OF MARITIME GROUP.
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